

Remarks

Reconsideration and continued prosecution of the present application is respectfully requested.

Claims 1-16, 18-27, 29, 30, and 32 remain pending. No amendments to the claims are submitted herewith.

Amendments to the specification are provided above to correct the priority claim that was added in the transmittal letter of August 8, 2000, and to update the status of the parent application. No new matter has been added. Note also that the present application was filed before November 29, 2000.

Obviousness-Type Double Patenting Rejections

The pending claims were rejected under the judicially created doctrine of obviousness-type double patenting over the claims of U.S. Patent 6,569,517 (McGurran et al.). In response thereto, applicants attach hereto a terminal disclaimer over the '517 McGurran et al. patent.

The pending claims were also provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-21 of copending U.S. Patent Application No. 09/872,532 (McGurran et al.) (published as US 2003/0017326 and having Attorney Docket No. 56763US002) in view of U.S. Patent 6,368,699 (Gilbert et al.). In response, applicants note that, all other rejections having been fully addressed, this provisional rejection is the only rejection remaining in the application. According to MPEP § 804(I)(B), the rejection should be withdrawn:

“If the ‘provisional’ double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent ...”

Conclusion

In view of the foregoing, it is submitted that the present application is in condition for allowance. This Amendment is believed to be timely submitted, and that no fee (beyond the fee authorized in connection with the terminal disclaimer) is due; however, if this belief is in error, please charge any required fee to Deposit Account No. 13-3723.

Respectfully submitted,

27 Jan 2004
Date

By: Stephen C. Jensen
Stephen C. Jensen, Reg. No.: 35,207
Telephone No.: (651) 736-3369

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833